

100103
1834 U.S.PTO

Attorney Docket: 056207.49647D1

U.S.PTO
10/674475

100103


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR § 1.53(b)

Mail Stop PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a request for filing a divisional application under 37 CFR § 1.53(b),
of pending prior application:

Serial No. 09/790,689

Filed on February 23, 2001

Of Izumi WATANABE et al.

Entitled: MEASUREMENT APPARATUS FOR MEASURING
PHYSICAL QUANTITY SUCH AS FLUID FLOW

Examiner: H. Patel

Group: 2855

- X 1. Accompanying this order is a true copy of the prior application as originally filed.

Total pages: 33

- X 2. Formal drawings are being filed herewith consisting of 10 sheets,
depicting Figures 1-20.

- X 3. Declaration and Power of Attorney:

a. — Newly executed (original or copy)

b. X Copy from prior application

i. — Deletion of Inventors - signed statement
attached deleting inventor(s) named in the prior
application

- X 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- 5. Cancel original claims ____.
- 6. Small entity status:
 - a. Is still proper and desired.
 - b. Is no longer claimed
- X 7. The filing fee is calculated below:

**Claims as Filed, Including Any Claims
Cancelled or Added by Preliminary Amendment**

Basic Fee						\$385/770	=	\$770.00	
Total Claims	30	-	20	=	10	x	\$9/18	=	\$180.00
Independent Claims	7	-	3	=	4	x	\$43/86	=	\$344.00
Multiple Dependent Claim Presented						\$145/290	=	\$	
Total Filing Fee								\$1294.00	

- 8. Please charge the deposit account of undersigned, No. 05-1323, in the amount of \$____ (Docket #____).
- X 9. A check in the amount of \$1294.00 to cover the filing fee is enclosed.
- X 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR § 1.16 or 37 CFR § 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #056207.49647D1).
- X 11. Amend the specification by inserting before the first line the sentence: --This application is a divisional of application Serial No. 09/790,689, filed February 23, 2001.--
- X 12. Priority of Appln. No. 2000-052092, filed in Japan on February 23, 2000, is hereby claimed under 35 USC 119.
- X 13. A certified copy of each said priority document was filed in application Serial No. 09/790,689 on February 23, 2001.
- X 14. The prior application is assigned of record to Hitachi, Ltd. and Hitachi Car Engineering Co., Ltd.
- X 15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

- X a. The power appears in the original application papers in the prior application.
- b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.

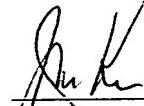
- X d. Address all future correspondence to:

CROWELL & MORING, L.L.P.
P.O. Box 14300
Washington, DC 20044-4300

- X 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.
- X 17. A Preliminary Amendment is being filed herewith.
- X 18. Return Receipt Postcard.

Respectfully submitted,

October 1, 2003



James F. McKeown
Registration No. 25,406

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JFM/acd